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December 20, 2024

**Via ECF**

The Hon. Sarah L. Cave  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Joel Rosario v. Marper Terminal Services Corp., et al.  
Case No. 24-cv-04511-VSB-SLC

Dear Judge Cave:

This firm represents Mr. Rosario in the above-referenced matter. I write on behalf of all parties to respectfully request that the initial conference scheduled for January 9, 2025, be adjourned *sine die*. (ECF No. 39).

On December 6, 2024, Defendant Ports America filed a motion to dismiss returnable before Judge Broderick. (ECF No. 36-37). Replies are due on January 20, 2025. (ECF No. 41). The parties believe that the initial conference should be stayed until the motion to dismiss has been resolved. Judge Broderick's order will determine the identity of the parties and the legal claims. Defendant Ports America does not wish to engage in discovery if there is a possibility that it could be dismissed from the case with prejudice. Further, a decision issued by Judge Broderick would certainly impact discovery and could result in the parties expending resources unnecessarily. The certainty that the parties request will provide more efficient and less costly litigation in this matter.

Thank you for the consideration of this request. Please contact the undersigned with any questions.

The parties' Letter-Motion at ECF No. 42 is GRANTED, and the Initial Case Management Conference and corresponding deadline to submit a Proposed Case Management Plan are ADJOURNED SINE DIE, pending the Honorable Vernon S. Broderick's decision as to Defendant Ports America's pending Motion to Dismiss.

The Clerk of Court is respectfully directed to close ECF No. 42.

SO ORDERED. 12/23/2024

  
SARAH L. CAVE  
United States Magistrate Judge